

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SUZANNE DOE,

Plaintiff,

v.

PIERCE COUNTY SUPERIOR COURT
DOMESTIC VIOLENCE UNIT, et al.,

Defendants.

Case No. C11-5259BHS

ORDER DENYING
APPLICATION TO PROCEED
IN FORMA PAUPERIS

This matter comes before the Court on Plaintiff's Motion to Proceed In Forma Pauperis. (Dkt. 1). The Court has considered the motion and the remainder of the record and hereby denies the motion for the reasons stated herein.

On April 5, 2011, Plaintiff filed a civil action against Pierce County Superior Court Domestic Violence Unit and others. Dkt. 1. Plaintiff has also filed a motion to proceed in forma pauperis. *Id.*

A district court may permit indigent litigants to proceed in forma pauperis upon completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). However, the Court has broad discretion in denying an application to proceed in forma pauperis. *Weller v. Dickson*, 314 F.2d 598 (9th Cir. 1963), *cert. denied* 375 U.S. 845 (1963).

It appears that Plaintiff has funds available to pay the filing fee in this case. She states that she receives \$1200 per month in Social Security benefits and \$600 per month in rental payments from tenants. She also states that she owns a home that is valued at approximately \$50,000.

1 Plaintiff has made a choice to file this civil action. Although Plaintiff does not list cases she has
2 previously filed in her motion, the Court's records indicate that she has filed at least three
3 previous actions in the United States District Court for the Western District of Washington since
4 2004, including one case in which she named Pierce County Superior Court Domestic Violence
5 Unit and others as defendants, which was closed on February 17, 2011 when the Court granted
6 Defendants' motion to dismiss (*see* 3:10-CV-5592BHS). While the costs of this action may place
7 a burden on her resources, Plaintiff appears to have sufficient funds to avail herself of her legal
8 remedies by filing this action.

9 Therefore, it is hereby **ORDERED** that Plaintiff's Motion to Proceed In Forma Pauperis
10 (Dkt. 1) is **DENIED**. If Plaintiff desires to proceed with this civil action, she must pay the filing
11 fee to the Court Clerk not later than **April 30, 2011**. If Plaintiff fails to timely submit the filing
12 fee, the Clerk is directed to dismiss this case without prejudice.

13 DATED this 12th day of April, 2011.

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16 BENJAMIN H. SETTLE
17 United States District Judge
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